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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/797,149	03/11/2004	Takashi Ohama	118736	4313
25944 7590 07/17/2008 OLIFF & BERRIDGE, PLC P.O. BOX 320850 ALEXANDRIA, VA 22320-4850				
EXAMINER				
MCCULLOUGH, MICHAEL C				
ART UNIT		PAPER NUMBER		
3653				
MAIL DATE		DELIVERY MODE		
07/17/2008		PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/797,149

**Applicant(s)**

OHAMA ET AL.

**Examiner**

MICHAEL C. MCCULLOUGH

**Art Unit**

3653

**Period for Reply** -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 03 June 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1, 3, 7-15, 18, 19, 21 and 22 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 11-15 is/are allowed.
- 6) ☒ Claim(s) 1, 3, 6-10, 18, 19, 21 and 22 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/808)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

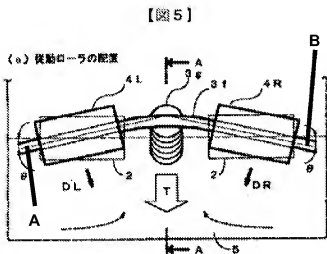
### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 03 June 2008 has been entered.

### ***Claim Rejections - 35 USC § 102***

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

2. Claim 18 is rejected under 35 U.S.C. 102(b) as being anticipated by Masaaki (JP 2001310857). Masaaki discloses a processing device comprising a first drive shaft (see Figure 5b) with drive rollers (2), a second drive shaft (3f) with at least two segments (see Figure 5a elements A and B, below) with a driven roller (4R,L) mounted on each segment, a centermost portion of the second drive shaft is more downstream than the first drive shaft and an outermost portion of the second drive shaft is more upstream than the first drive shaft .



**Claim Rejections - 35 USC § 103**

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

3. Claims 1, 3, 6-8, 10, 21, and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fowler et al. (US 3,66,262) in view of Sako et al. (US 6,073,927). Fowler et al. discloses a sheet feeder in an image reading apparatus comprising an image reading part (37), a drive roller unit (3, 4, 5) with an axis (2) perpendicular to the sheet feed direction (see Figure 1 arrow D, below) that includes driven rollers and is immediately downstream from the image reading part, a driven roller unit (see Figure 1 element C, below) with the same amount of driven rollers (8, 9, 10) as drive rollers arranged symmetrically with respect to a center line (see Figure 3a line E, below) with axes on a slant (8a and 10a) such that the end portion of each axis far from the center of the width is upstream and the close to the center is downstream, an urging member that urges segments of the driven roller unit independently (see column 3 lines 20-27), and a straight conveying path (7 and 25). Fowler et al. does not disclose the drive roller

has a coefficient of friction greater than a coefficient of friction of the driven rollers and a conveying pair upstream from an imaging part and a curved conveying path. However, Sako et al. discloses a similar device that includes the drive roller has a coefficient of friction greater than a coefficient of friction of the driven rollers (see column 6 lines 13-20), a conveying roller pair (22 and 21), and a curved conveying path (23) for the purpose of easily sliding against each other (see column 6 lines 13-20), separating a sheet (see column 4 lines 56-63), and guiding a sheet. It would have been obvious for a person of ordinary skill in the art at the time of the applicant's invention to modify Fowler et al. by utilizing drive rollers with a coefficient of friction greater than a coefficient of friction of driven rollers, a conveying pair, and a curved conveying path as disclosed by Sako et al., for the purposes of easily sliding against each other, separating a sheet, and guiding a sheet.

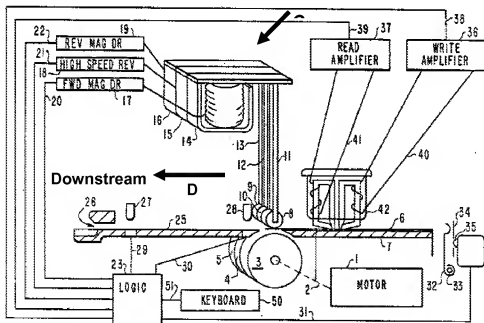
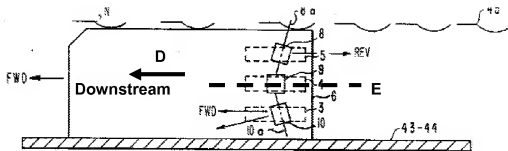


FIG. 1



**FIG. 3a**

4. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Fowler et al. (US 3,66,262) in view of Sako et al. (US 6,073,927) as applied to claims 1, 3, 6-8, and 10 above, and further in view of Kawano et al. (JP 2000-318904). Fowler et al. in view of Sako et al. discloses all of the limitations of the claims but does not disclose the axis of the driven roller is inclined at an angle of 1-3°. However, Kawano et al. discloses a similar device that includes an axis of the driven roller is inclined at an angle of 1-3° (see Page 6 paragraph 0075 and Figure 13b elements 16) for the purpose of preventing formation of wrinkles (see Page 7 paragraph 0088). It would have been obvious for a person of ordinary skill in the art at the time of the applicant's invention to modify Fowler et al. in view of Sako et al. by utilizing an axis of the driven roller is inclined at an angle of 1-3°, as disclosed by Kawano et al., for the purpose of preventing formation of wrinkles.
5. Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Masaaki (JP 2001310857) in view of Kawano et al. (JP 2000-318904) in farther view of Sako et al. (US 6,073,927). Masaaki discloses all of the limitations except the axis of the driven roller is inclined at an angle of 1-3° and the drive roller has a coefficient of friction greater than a coefficient of friction of the driven rollers. However, Kawano et al.

discloses a similar device that includes an axis of the driven roller is inclined at an angle of  $1-3^{\circ}$  (see Page 6 paragraph 0075 and Figure 13b elements 16) for the purpose of preventing formation of wrinkles (see Page 7 paragraph 0088) and Sako et al. discloses a similar device that includes drive rollers that have a coefficient of friction greater than a coefficient of friction of the driven rollers (see column 6 lines 13-20) for the purpose of easily sliding against each other (see column 6 lines 13-20). It would have been obvious for a person of ordinary skill in the art at the time of the applicant's invention to modify Masaaki by utilizing an axis of the driven roller is inclined at an angle of  $1-3^{\circ}$  and drive rollers that have a coefficient of friction greater than a coefficient of friction of the driven rollers, as disclosed by Kawano et al. and Sako et al., for the purpose of preventing formation of wrinkles and easily sliding against each other.

***Allowable Subject Matter***

6. Claims 11-15 are allowed.

***Response to Arguments***

7. Applicant's arguments filed 03 June 2008 have been fully considered but they are not persuasive. Applicant argues, with respect to claim 1, that the drive rollers (3, 4, and 5) of Fowler are upstream from the reading amplifier (37) and not immediately downstream as claimed. In response, Fowler discloses that the sheet is moved both forward and reverse, see column 3 lines 20-26 and Figure 3a; therefore, the drive roller unit is downstream from the image reading part.
8. Applicant's arguments with respect to claims 18 and 19 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MICHAEL C. MCCULLOUGH whose telephone number is (571)272-7805. The examiner can normally be reached on Monday-Friday, 7:00 am - 3:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Patrick Mackey can be reached on (571) 272-6916. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Patrick H. Mackey/  
Supervisory Patent Examiner, Art  
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MCM